

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 01-1832

United States of America,

Appellee,

v.

Michael C. Hughes,

Appellant.

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Appeal from the United States
District Court for the
Western District of Missouri.

[UNPUBLISHED]

Submitted: January 4, 2002

Filed: January 8, 2002

Before BOWMAN, BRIGHT, and LOKEN, Circuit Judges.

PER CURIAM.

Michael C. Hughes pleaded guilty to attempted possession of cocaine with intent to distribute, in violation of 21 U.S.C. § 846 (1994), and the District Court¹ sentenced him to fifty-one months' imprisonment and three years' supervised release. On appeal, Hughes argues that the Court failed to make factual findings at sentencing concerning his criminal history, and that it was required to do so given his objection to the presentence report (PSR).

¹The Honorable Ortrie D. Smith, United States District Judge for the Western District of Missouri.

After carefully reviewing the record, we cannot agree with Hughes that he objected to the PSR at sentencing. In fact, after the Court rejected a recommended victim-related enhancement, Hughes's counsel expressly informed the Court that Hughes had no other objection to the PSR. The Court therefore committed no error in adopting the rest of the PSR's factual findings. See Fed. R. Crim. P. 32(b)(6)(D) (stating that District Court may accept unobjected-to portions of PSR).

Accordingly, we affirm.

A true copy.

Attest:

CLERK, U.S. COURT OF APPEALS, EIGHTH CIRCUIT.